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Thailand

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1. Thailand presented the first cycle report at the Review in 2011, after which we accepted 134 recommendations and announced 8 additional voluntary pledges.

I. Methodology

A. Awareness raising

2. After the first cycle review, the national report and accepted recommendations were translated into Thai language and disseminated to the public, including on the website. Seminars were organised to inform agencies and civil society about the review outcome.

B. Implementation monitoring and capacity-building

3. After the review, the National UPR Committee's mandate was expanded from report preparation to include overseeing the implementation process. The Committee[1] meets at least once a year to exchange views and discuss progress, gaps, and challenges.

4. In 2013, a national action plan was developed to serve as a guideline on the implementation of the accepted UPR recommendations and voluntary pledges with timeframe and assigned responsible agencies. The 3rd National Human Rights Plan for 2014-2018[2] has also incorporated the UPR recommendations for effective and seamless implementation.

5. In June 2014, the Government submitted a voluntary Mid-term update[3] to HRC to keep track of implementation progress and maintain the momentum between cycles.

6. Thailand believes that exchange of experience[4] and technical assistance[5] are keys to achieving effective implementation.

C. Drafting process

7. The process intends to be as inclusive as possible. Before drafting, seminars in 5 regions were conducted to follow up on the implementation and identify remaining challenges and new concerns on the ground.

8. Four focus group discussions on key thematic issues were held to generate more in depth debate among concerned agencies and experts.

D. Consultation process

9. Public consultations were organised in 5 regions to gather views and inputs on the first draft report. Useful feedbacks have been reflected in this report.

10. The report was endorsed by the National UPR Committee and thereafter approved by the Cabinet which underscores their commitments.

II. Developments since the first cycle review

A. Constitution

11. The rights and liberties of all people continue to be guaranteed by the Constitution as well as relevant laws.

12. The 2014 Interim Constitution *(Section 4)* guarantees all human dignity, rights, liberties and equality of the people as provided under previous constitutions. It also embraces human rights protection under international instruments to which Thailand is party.

13. The new Constitution is currently being drafted by the Constitution Drafting Commission (CDC). Once completed (expected by early April 2016), it will go through a public referendum. To make the drafting process inclusive, the CDC has sought views from various sectors, including the Cabinet, independent institutions[6], political parties, academics, and private sector.

B. Government policies

14. The Government attaches utmost importance to the promotion and protection of human rights of all groups of people. In its Policy Statement to the National Legislative Assembly (NLA) on 12 September 2014, the Government identified addressing social and economic inequalities as well as adherence to the rule of law and protection of human rights as 2 of 11 main policies.

15. The Government has pledged to develop the social protection system; improve the welfare system particularly for vulnerable groups; disseminate land utilisation or tenure rights for the poor, and prevent and tackle the problems of human trafficking.

16. The Government has strived to expedite the revision of Thailand's legal codes and other laws that are obsolete and inconsistent with international obligations. The Government is also working toward further improving access to justice by strengthening the legal and financial aid systems and the justice fund which supports the poor and the disadvantaged as well as provides remedies to those affected.

C. National Human Rights Plan

17. In November 2014, the Cabinet approved the 3rd National Human Rights Plan (2014-2018). The Plan, drafted from consultations with various stakeholders, advocates for a society that respects rights, liberties, and equality. The Plan is considered more comprehensive than its predecessors as it has identified 11 issues[7] and 15 target groups[8] of which specific action plans were developed to cater to their different needs and natures.

18. Concrete implementation continues to be the main goal of the Plan. The Cabinet instructed all agencies to submit a report on implementation regularly. Rights and Liberties Protection Department (RLPD)[9] has also provided trainings for officials from government agencies concerned to implement the Plan effectively.

D. Legislative framework

19. Since the first cycle review, a number of human rights related legislations has been passed or amended to further strengthen the promotion and protection of human rights. Some notable ones are as follows:

- ***The Gender Equality Act of 2015*** (effective on 9 September 2015) aims to protect everyone, including persons with sexual expression that is different from biological sex, from gender-based discrimination. The Act establishes mechanisms, namely Gender Equality Promotion Committee to promote gender equality in all agencies, Committee on Consideration of Unfair Gender Discrimination to receive complaints and order sanction or compensation for the victims of discrimination, and Gender Equality Promotion Fund for compensation or redress.
- ***The Amendment to the 2008 Anti-Trafficking in Persons Act*** (effective on 29 April 2015) aims to further intensify the country's effort to combat trafficking in persons. Important amendments include granting power to authorities to temporarily shut down factories or vehicles, imposing harsher punishment for perpetrator, and introducing system of confiscation of assets of perpetrator, as source of fund for compensation for victims.
- ***The Justice Fund Act of 2015*** (published in the Royal Gazette on 27 October 2015 and will become effective on 24 April 2016) aims to ensure that everyone, particularly the poor and the vulnerable, have an equal access to justice. The Fund's assistances include financial support to provide access to legal aid and lawyers, support in judicial proceedings including proofs and evidences gathering, court fees and bails, as well as public dissemination of basic legal knowledge.
- ***The Protection of Vulnerable Persons Act of 2014*** (effective since 24 December 2014) provides better protection to persons who are homeless, living in poverty or in difficult conditions. The said protection includes provisions of social welfare, housing, health care, education, and job opportunities.
- ***The Amendment to the Criminal Code to criminalise child pornography*** (effective on 7 December 2015) aims at according more protection of children from a wider range of sexual exploitation, in compliance with the Convention on the Rights of the Child and its Second Optional Protocol. The Amendment, for the first time in Thai law, gives definition to "child pornography" and takes into account the advanced technology of visual representation and the spread of child pornography on the internet.
- ***The Amendment to the Organic Law on Anti-Corruption (No. 3)*** (effective on 10 July 2015) aims to make the law in conformity with the obligations under the UN Convention against Corruption (UNCAC) to which Thailand has been party since 2011. The Amendment extends corruption charges to cover foreign public officials and officials of international organizations, introduces value-based calculation for damages, suspends the statute of limitations in case alleged offenders evade the administration of justice, establishes the liability of legal persons for bribery, and increases penalties against public officials for offence of bribery.
- ***The Royal Ordinance on Fisheries of 2015*** (effective on 14 November 2015) aims to establish good governance in the management of the fisheries sector, combat illegal, unreported and unregulated (IUU) fishing, and prevent illegal labour in the fisheries sector, in compliance with international standards.

20. Capacity-building and follow-up activities are also organized for officials from relevant implementing agencies to promote understanding and bring about effective enforcement of the above-mentioned legislations.

21. The Cabinet and NLA will continue to pass or upgrade other laws in the pipeline, including the Penitentiary Act of 1936, giving highest priority to the draft bills that fulfill Thailand's international obligations.

E. Human rights mechanisms

National Human Rights Commission (NHRC)

22. NHRC continues to function under the NHRC Act of 1999.

23. Each year, the Government has allocated budget deemed as sufficient for NHRC to cover its administrative cost as well as carry out its mandates effectively and with its autonomy. There is also room for NHRC to request for use of Government's central fund for contingency activities. (NHRC has been able to handle an increasing number of cases, from 112 cases during its inception year in 2001 to around 600–700 cases per year at present.)

24. The Government makes voluntary contribution annually to support the work of the Asia Pacific Forum of National Human Rights Institutions (APF). The contribution in turn allows APF to carry out activities to strengthen effectiveness of its member institutions. NHRC also benefits from a range of trainings provided by APF.

25. The Government recognises the importance of a strong and active NHRC that carries out its mandate in promotion and protection of human rights effectively, up to accreditation standard[10] and in compliance with the Paris Principles.

26. Government agencies have continuously cooperated with NHRC in providing information and clarification as requested, as well as taking into account its views and useful recommendations.

Regional mechanism

27. Thailand is a strong supporter of the ASEAN Intergovernmental Commission on Human Rights (AICHR), a regional human rights mechanism. In AICHR's TOR review process, Thailand has urged AICHR to consider ways and means to strengthen its protection mandate in order to ensure full and concrete impact on the ground.

28. Thailand also supports AICHR to play a leading role in bringing together Member States to discuss and exchange experiences on implementation of their international human rights obligations and how to address common challenges. In September 2014, AICHR, in cooperation with the Thai Government, organised two events – one on the UPR process and another on the rights of migrant workers.

29. Thailand strongly advocated for the inclusion of human rights principles in ASEAN Community Vision 2025.[11] We are also working closely with AICHR in mainstreaming human rights elements in the work of the ASEAN Community. In December 2015, an AICHR Regional Dialogue on the Mainstreaming of the Rights of Persons with Disabilities in the ASEAN Community was held in Bangkok.

30. Thailand will continue to engage with AICHR and support them to carry out their mandate for the benefits of people in the region.

F. International human rights instruments

31. Thailand ratified the United Nations Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children on 17 October 2013. Thailand has also revised domestic laws and developed mechanisms for implementation.

32. Thailand is among the first countries that ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure in September 2012. Since then, the Government has translated the Protocol into Thai language and disseminated it to the public. The Government is also establishing a national mechanism to implement the obligations under this instrument.

33. In February 2014, Thailand established a national committee to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), which Thailand signed in 2012. The committee has endorsed the plan to draft a new legislation to ensure effective implementation of the Convention once Thailand becomes a party. At the moment, the draft Act on Prevention and Suppression of Torture and Enforced Disappearance, which has also incorporated the definition of torture as stipulated in Article 1 of the CAT, is under the consideration of the Cabinet.

34. Thailand is studying the possibility of ratifying the Optional Protocol to the CAT (OPCAT). MOJ has been working, in collaboration with various organizations such as the Association for the Prevention of Torture, International Commission of Jurists, and the OHCHR, to raise awareness and promote understanding of the OPCAT among all concerned agencies.

35. Thailand withdrew reservations and interpretative declarations to different human rights instruments in the past 4 years as follows: (1) ***the interpretative declarations to Article 6(5) and Article 9(3) of the International Covenant on Civil and Political Rights (ICCPR)*** on 6 July 2012; (2) ***the reservation to Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*** on 18 July 2012; and (3) ***the interpretative declaration to Article 18 of the Convention on the Rights of Persons with Disabilities (CRPD)*** on 5 February 2015.

36. Thailand is in the process of withdrawing the reservation to Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) (MOJ is preparing to submit for cabinet approval), ratifying the Optional Protocol to the CRPD (cabinet approval expected by May 2016), and ratifying three ILO Conventions, namely the Maritime Labour Convention, 2006 (approved by the Cabinet on 31 March 2015), the ILO Convention No. 187 on occupational safety and health (approved by the Cabinet on 30 September 2015), and the ILO Convention No. 111 on discrimination in respect of employment and occupation (Ministry of Labour (MOL) is compiling feedbacks from relevant agencies).

III. Promotion and protection of human rights

A. Economic, social and cultural rights

Right to development and poverty eradication

37. The Government has put a strong emphasis on economic development, resulting in the reduction in poverty incidence in the country. Since 2011, the World Bank has upgraded Thailand's income categorisation from a lower-middle income economy to an upper-middle income economy.

38. Thailand is in the final year of the 11th National Economic and Social Development Plan (2012–2016). The Plan is guided by His Majesty the King's Sufficiency Economy Philosophy, to promote stability and sustainability. It is also intended to increase the country's resilience and adaptability, strengthen national infrastructure as well as develop human resources to have a society with people who can better adapt to changes and have equal access to resources and benefits from development.

39. The promotion of economic, social and cultural rights has led Thailand to achieve several MDGs and the country's MDG Plus targets, such as halving poverty and hunger, promoting gender equality, reversing the spread of HIV/AIDS, halving the proportion of people without sustainable access to safe drinking water and basic sanitation, improving the lives of slum dwellers, as well as being a global partnership for development.

40. Nevertheless, Thailand needs to accelerate its efforts to achieve remaining targets, including ensuring boys' and girls' primary and secondary school completion, adopting environmental sustainable development, reducing infant mortality rate and improving the maternal health in remote areas, as well as achieving the SDGs.

41. Thailand is also facing other challenges, in particular, being caught in a middle-income trap, and widening inequality and unfair distribution of income among people. The Government has tried to solve the problems by improving national competitiveness, investing on research and development, adjusting economic and social structure, such as tax system (i.e. inheritance and land taxes), as well as setting rules and regulations that are fair and consistent, ensuring equality and equal access to resources and public services, promoting rule of law, and fighting corruption and nepotism. In a shorter term, the Government has put in place measures to assist farmers and people with low incomes who are affected by economic downturns and disasters.

42. Another major challenge is the need to enhance human rights protection in the pursuit of economic growth through large-scale development projects, which may affect local people's livelihood and environment. The Government has laid out several measures to minimise impacts, for example, the requirement to systematically conduct environment and health impact assessment, the establishment of monitoring committee, and the measures to alleviate or compensate affected people, such as provision of new shelters for their relocation. The Government has also decided to suspend some projects, as a result of the concerns raised by civil society, and encouraged dialogue with local communities with a view to reaching an agreement.

43. Thailand has done its utmost to comply with global climate change obligations, including in particular through the prevention of deforestation at home.[12] Nevertheless, the Government is aware of the need to respect the rights of the people and local communities to a fair share of the benefits in the utilisation of lands and natural resources. Measures to resolve land issues for people under poverty continue to be implemented. The National Land Commission has implemented the project to grant land use permit to allow local communities to live, collectively utilise, and reserve forest lands under the idea of "community living in harmony with the forest". The project is intended to address the past problems related to transfer of land title to businesses or speculators, as well as land encroachment and deforestation.

44. The Government also puts in place rules and regulations to allow ethnic communities who can prove the trace of the past long-term land utilisation to continue living in forest lands. For those who must be relocated, particularly the ones with limited means, the Government provides assistances such as housing and occupational training, taking into consideration their culture and way of life.

45. The draft 12th National Economic and Social Development Plan (2017–2021) is currently being drafted with consultations from all sectors throughout the country. It will

focus on 4 main principles, namely (1) Sufficiency Economy Philosophy; (2) people-centred and inclusive development; (3) promoting national reform; and (4) promoting development to achieve security, prosperity and sustainability. The Plan aims to bring about a harmonious society that is resilient to changes, such as free trade, emerging technology, and natural disasters. It is also aimed at tackling challenges related to the middle-income trap, the ageing society and social inequality. The draft Plan also promotes economic and social development that is friendly to the environment, socially responsible production and investment, and green business by private sector, in order to strike the balance of conflicting interests between infrastructure development, tourism, and environmental protection and conservation of people's and community's way of life.

Right to work

46. The Government attaches high importance to protect the right to work of all persons, regardless of their ethnicity and nationality.

47. The Government has revised many laws and measures to increase protection and welfare for workers. These are, among others, the increase in daily minimum wage to 300 baht since 1 January 2013, the amendment of the Social Security Act of 2015 which expands benefits to workers in many scenarios such as unemployment, a temporary suspension of a business, or cases of self-inflicting sickness, disability, or death. The Act also extends coverage to all types of temporary employees in the government sector and Thai workers abroad employed by offices in Thailand. The adoption of the Maritime Labour Act of 2015 also provides protection to labours in accordance with the ILO standards.

48. The Government has put in place measures to ensure safety for workers as well as prepare for the ratification of the ILO Convention No. 187. These are such as the National Master Plan on Occupational Safety, Health and Environment, of which the current Plan (for 2012–2016) extends coverage to informal workers, and the Institute of Occupational Safety and Health, established in May 2015 to effectively implement the agenda.

49. Thailand has put effort to implement the voluntary pledge on the ratification of the ILO Conventions No. 87 on Freedom of Association and Protection of the Right to Organize and No. 98 on Right to Organize and Collective Bargaining. MOL has amended the Labour Relation Act to be consistent with the said Conventions and submitted for the Cabinet's approval. Nevertheless, due to concerns raised by the Employees' associations, MOL decided to withdraw the draft so that thorough discussions can be arranged to reach the agreement among all groups.

50. From June to December 2014, the Government implemented a nationwide registration scheme, in which over 1.6 million migrant workers from neighbouring countries have been registered. The registration helps ensure that these workers are protected and provided with welfare under Thai Labour law similar to Thai nationals. In addition, Thailand has strengthened cooperation with neighbouring countries to prevent labour trafficking. Thailand signed the MOU on Labour Cooperation and the Agreement on Employment of Workers with Vietnam in July 2015 (Details are being worked out and expected to become effective by the first quarter of 2016) and with Cambodia in December 2015. Similar arrangements are currently under negotiation with Myanmar and Lao PDR. These new MOUs have extended the scope of cooperation from the past employment cooperation MOUs to include other important issues such as technical cooperation and labour skills development.

51. Thailand is working on the prevention and suppression of labour trafficking, particularly in fisheries industry and its related business. On 3 March 2015, the Cabinet approved the registration scheme for migrant workers in the fisheries sector, in line with

that of regular migrant workers, to regularise and bring them under protection by Thai Labour law, including a temporary work permit and health insurance.

52. On 3 April 2015, the Prime Minister declared prevention and suppression of trafficking in persons a national agenda and instructed relevant agencies to seriously combat trafficking rings and prosecute those conspiring, including government officials.

53. In August 2015, the Criminal Court set up three new divisions, one of which has been specifically tasked to handle human trafficking cases. The new establishment helps ensure that human trafficking cases will be deliberated by judges who have expertise and understanding of the sensitivity of the issue as well as the specificity of the court procedures. Such arrangement is expected to expedite the case deliberation in an efficient, speedy, and fair manner. In addition, the Office of the Judiciary has tasked an ad-hoc Committee to draft the Human Trafficking Case Procedure Act, which will allow victims to make a claim for compensation and the Courts to order punitive damage against the perpetrators.

54. During the 27th ASEAN Summit (November 2015), Thailand and other ASEAN Member Countries signed the ASEAN Convention against Trafficking in Persons, especially Women and Children (ACTIP). The Convention has the objective to effectively prevent and combat trafficking in persons, assist victims, enhance cross-border cooperation, and provide mutual legal assistance in criminal matters and agreements on extradition. At present, the working group consisting relevant agencies is in the process of translating the Act into Thai language with a view to submit for cabinet's approval in order to proceed with the ratification.

55. The Government continues to promote and protect the rights of domestic and informal workers. Some mechanisms include (1) the issuance of the MOL Regulation No. 14 of 2012 which puts in place better protection to both documented and undocumented domestic workers, such as right to weekly holidays, paid sick leave, and wages for work on holidays, (2) the adoption of the Strategic Plan for Informal Workers Management for 2012-2016 which extends protection coverage and social security as well as provides trainings for better job opportunities, and (3) the establishment of the National Committee on Informal Workers Management in 2012 to set policies and monitor the implementation.

56. One of the main challenges is the lack of awareness of labour rights and relevant laws among employers and workers, increasing the risks of violations and abuses. The Government has addressed this issue by disseminating information such as anti-trafficking measures, worker registration scheme, labour rights protection, and safety at workplace etc. (Necessary information was also translated into Burmese, Lao, and Cambodian languages for migrant workers.) Trainings have been provided on labour rights, such as on the worst form of child labour and right to organise and collective bargaining.

Right to health

57. The Government continues to provide health insurance for the entire Thai nationals, through three main schemes, namely Civil Servant Medical Benefit Scheme, Social Health Insurance Scheme, and Universal Health Coverage Scheme. They cover several aspects, including treatment, disease prevention, health promotion, and recovery. They also protect households from being impoverished from medical care costs.

58. The Ministry of Public Health (MOPH) has put its efforts to assist people residing in Thailand who are currently not covered by any scheme, especially those with status problems and their dependents. On 20 April 2015, the Cabinet approved the resolution to add approximately 200,000 of those with status problems into the public healthcare system. MOPH is in the process of drafting the Strategy to ensure health insurance for people with status problems, to serve as a framework in the long term.

59. Registered migrant workers are entitled to receive health insurance and access to health services. In May 2015, MOPH signed a collaboration agreement with the International Organization for Migration (IOM) on the improvement of healthcare for migrant workers, both documented and undocumented, in 31 border provinces with the objective to improve their access to health care and for disease control.

60. Apart from access to health insurance, the Government is also working to cope with other challenges, such as ensuring high quality healthcare, addressing inequitable subsidies among the three public health insurance schemes, and allocating adequate budget to ensure the policy's sustainability.

61. The Government has taken steps to reduce maternal and infant mortality rates. MOPH has developed Clinical Practice Guidelines on mothers and infants and training course on normal labour and infant care for community hospitals. Trainings have also been provided for doctors and nurses working in delivery room. These practices are part of the attempts to achieve the target of reducing the maternal mortality rate to 15 per 100,000 live births (in 2014, the rate was at 23.3 per 100,000 live births) and the infant mortality rate to 8 per 1,000 live births.

62. MOPH has developed health promotional toolkits to be educational materials for school students on issues such as food, nutrition, exercise, and age-appropriate health development. It is intended to address child malnutrition problem in a sustainable manner.

Right to education

63. Each year, more than 20 per cent of the national budget has been allocated for education. The Government continues to implement an Education for All policy and ensure that all children have access to education at all levels and all categories, be they formal, non-formal, or informal. The country's net enrollment rate has always remained higher than 85 per cent and in 2014, the gross enrollment rate, calculating from children at all ages in primary education, was at 100.4 per cent.

64. The National Education Act of 1999 has expanded compulsory education from 6 years to 9 years and provided all children with 12 year basic education free of charge so that children can choose to continue higher education or work.

65. In some areas where people have unique identity and use more than one language such as those of ethnic groups or the southern border provinces, the Government has introduced the bi-lingual education programme (such as Thai-Patani Malay or Thai-other local languages) to be a tool that can effectively enhance learning and improve communication between teachers and students. The programme is hoped to bring about improvements in the quality of students' learning, as well as make students appreciate their language and culture while understanding other cultures. Nevertheless, the Government is fully aware of some challenges, particularly the lack of teachers who have expertise in both languages.

66. Thailand is still facing challenges, particularly on quality and inequality of education. The Ministry of Education (MOE) has declared education improvement a priority and will step up efforts in solving illiteracy, capacity building of teachers and education personnel especially in shortage areas, as well as reforming the system with the focus on learning and teaching methods to improve students' learning achievement. MOE has also developed Project for Long Distance Learning through Satellite to reach out to schools nationwide including those in the southern border provinces and rural areas.

B. The rights of specific groups

67. Several policies and measures have been taken to protect people in vulnerable situations, for example, the establishment of One Stop Crisis Centre (OSCC) with hotline services in 2013 to provide immediate social assistance to children, women, elderly and persons with disabilities who confront problems such as human trafficking, child labour, domestic violence, and unplanned pregnancy. In addition, community based hospital centres have also been set up to provide similar assistance in the community.

Children

68. The latest National Children and Youth Development Plan (2012–2016) was developed by incorporating recommendations from the Committee on the Rights of the Child. The Plan focuses on four main areas, namely (1) increasing life immunity, (2) protection and development of children in need of special protection, (3) capacity-building of networks for child and youth development, and (4) improvement of the administration and management system for child and youth protection and development.

69. In compliance with Article 7 of the Convention on the Rights of the Child (CRC), all children who are born in Thailand are entitled to birth registration and other rights under the Article. We also continue to consider, where appropriate, further amendment of the Civil Registration Act of 2008 and the Nationality Act of 2008, as well as provide even greater access to birth registration and individual documentation services, including late birth registration, to build on our progress in reducing vulnerability to statelessness.

70. In March 2015, the Cabinet approved the Child Support Grant Scheme which provides a 400 baht monthly allowance to newborn children, who are born to Thai parents and living in poor households, for their first year. The project aims to provide protection and basic welfare as well as help parents meet essential costs of quality child care. It is part of the Government's human development plan throughout the life-cycle. The Ministry of Social Development and Human Security (MSDHS) is extending the project to support children to at least 3 years of age.

71. The Protection of Children Born from Assisted Reproductive Technologies Act, or the Surrogacy bill, came into effect on 30 July 2015 with an aim to prevent unethical surrogacy conducts and the sales of children, and to safeguard the rights of the mother as well as the child.

72. Violent or abusive corporal punishment is prohibited by many laws, namely the Child Protection Act of 2003 which prohibits acts or omissions that inflicts physical or mental torture upon a child (Article 26), the Civil and Commercial Code which allows guardian to punish the child only in a reasonable manner for disciplinary purposes (Article 1567) and the MOE Regulation on Student Punishment of 2005 which prohibits punishment with harsh measures (Article 6). The Government is aware of existing practices and that more efforts need to be put to raise awareness among teachers and parents, especially on relevant laws and the rights of the child. Measures are also taken to promote a teachers-student relationship, the use of positive discipline, as well as an environment conducive to a child's learning and development both at home and at school.

73. MOJ is also studying the feasibility of raising the minimum age of criminal responsibility from 10 years to 12 years, in conformity with international standard and the Committee on the Rights of the Child's recommendations.

74. Despite Government efforts, violence against children remains one of the challenges in Thailand. To address the issue, the Government has adopted the Policies and Strategies for the Prevention and Responses to Violence against Children and Youth (2015–2021) that will serve as a master plan for agencies concerned, both at national and local levels.

MSDHS has already started their implementation by enhancing understanding of agencies in provincial level, and developing curriculum for training lead teachers and parents. In addition, Thailand was also a lead country in advocating for the ASEAN Regional Plan of Action on Elimination of Violence against Children, adopted at the 27th ASEAN Summit in November 2015.

75. The efforts to tackle child labour have been intensified and yielded positive results. In 2013, the National Committee to Eliminate the Worst Forms of Child Labour[13] issued the notification on a compiled list of hazardous works, which is due obligations in compliance with the ILO Convention No. 182, to protect children. Other notable actions are such as changing the laws to raise the minimum age for works in agricultural sector (from 13 to 15 years of age) and in sea fishing vessels (from 16 to 18 years of age) in 2014. Since 2015, the Government has proactively partnered with all stakeholders, particularly the private sector in sugar industry and sugarcane farmer, to eliminate the use of child labour in an entire production chain. The Government is also planning to carry out the nationwide survey on child workers in key industries in 2016.

76. MOL is drafting a National Plan to eliminate the use of child labour in worst forms (2015–2020), under the vision "Thailand safe from child labour in worst forms within the 2020 fiscal year."

77. Such positive progress has made the United States Department of Labour decided to upgrade Thailand to the country that made "significant advancement", which is the top of assessment, in efforts to eliminate the worst of child labour in their "Findings on the Worst Forms of Child Labour 2014".

Women

78. The Women's Development Plan (2012–2016) has been developed, in line with the principles of relevant international human rights standards such as the CEDAW and the Beijing Declaration, to provide policy direction for the promotion and protection of women's rights as well as the empowerment of women in the society. To achieve these goals, the Plan identifies five strategies, namely (1) promote the positive attitudes towards gender equality, (2) develop women's capacity and opportunity, (3) promote women's health and reproductive health and rights, (4) promote women's participation in the politics, administration and decision-making process, and (5) enhance the capacity of mechanisms and women's organisations at all levels.

79. The Government launched the Women's Development Fund in 2012 to enhance women's economic opportunities through a revolving fund for women's groups. The Fund also serves as a tool to promote women's leadership and management skills through women's empowerment projects.

80. To further increase gender equality, since 2012, the Cabinet has approved paid leave of up to 15 days for male government officials whose wives have given birth. MOL has also worked to seek cooperation from the private sector to grant the same benefits of paternity leave to their male workers.

81. Thailand attaches importance to eliminating violence against women. Apart from the Protection of Victims of Domestic Violence Act of 2007, additional legal measures have been adopted to further protect women. Recent developments are, among others, the Amendment to Article 397 of the Penal Code regarding the punishment of acts involving sexual harassment or intimidation both in public and domestic realms (effective in February 2015) and the measures to prevent and address sexual violations and harassment in the workplace (approved by the Cabinet in June 2015).

82. Thailand joined other ASEAN Member States in the adoption of the Declaration on the Elimination of Violence against Women and Elimination of Violence against Children in ASEAN in October 2013. Thailand also served as the lead country in drafting the ASEAN Regional Plan of Action of Elimination on Violence against Women, adopted at the 27th ASEAN Summit in November 2015.

83. At the United Nations, Thailand has advocated for the enhancement of gender-specific criminal justice policy and strategies in order to curb gender-related killing of women and girls in different circumstances. The resolution "Taking action against gender-related killings of women and girls", proposed by Thailand and Croatia, was adopted by consensus at the CCPCJ (in May 2015), and subsequently the ECOSOC (in July 2015), and the UNGA70 Third Committee (in November 2015).

84. The Government has been continuously implementing the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, or the "Bangkok Rules" to eliminate discrimination against women prisoners by mainstreaming gender sensitivity in the criminal justice system. Thailand Institute of Justice (TIJ) was established in 2011 and has played an important role in promoting the implementation of the Bangkok Rules through its researches and capacity-building programmes. TIJ has partnered with the Department of Corrections to initiate the Pilot Project on model prisons to implement the Bangkok Rules.

85. The Government is committed to addressing the issue of teenage pregnancy which has been on the increase in the past few years. Sexuality and life skills education have been made a compulsory subject in schools and a network of teachers and members of the local communities have been developed to provide mentorship and guidance to students. In addition, teenage clinics have been established, by MOPH, throughout the country to promote sexuality education, general health care and birth control.

86. In December 2014, the National Youth Commission on Child and Youth Development has endorsed the implementation of "One Goal, One Plan" to reduce teenage pregnancy and set the target of reducing teenage pregnancy by 50 per cent by 2024 (from the rate in 2013). In September 2015, the Cabinet approved the Act on Teenage Pregnancy Prevention, drafted in compliance with the CRC, CEDAW, CRPD and the International Conference on Population and Development (ICPD) Programme of Action. The Act indicates measures to address the problem including compulsory comprehensive sexuality education in all academic institutions, provision of sexual and reproductive health services for adolescents, and access to continued education for pregnant students.

87. Thailand has taken many initiatives to increase the participation of women in politics over the past years, through partnership and collaboration among government agencies, NGOs, and women networks. Efforts have been made to improve knowledge, understanding and skills of women on the constitution and relevant laws and the importance of women's participation in politics and administrative functions. Training and workshops have been organised to prepare women candidates before their local elections.

88. Although many policies and measures have been developed, the Government is fully aware of the need to step up its efforts to fill the remaining gaps. Priorities are given to (1) development of curriculum on gender roles to cultivate positive attitudes among children, (2) collection of sex disaggregated data to be used in analyzing situations, formulating gender-sensitive policies, and monitoring implementation, and (3) promotion of gender-responsive budgeting among relevant public agencies to ensure that allocation of public resources is conducive to the realisation of gender equality and women's empowerment.

Older persons

89. In 2015, the National Economic and Social Development Board estimated that there were approximately 10 million of older persons in the country or about 15 per cent of the total population. The figure indicates that Thailand has entered into an aging society for more than a decade as older persons accounted for 10.5 per cent of the total population in 2005.

90. The 2nd National Plan for Older Persons (2002–2021) was prepared in accordance with the Madrid International Plan of Action on Ageing 2002. The 2003 Older Persons Act is considered to be a legal instrument that safeguards the rights of older persons.

91. The old-age allowance system aims at guaranteeing basic income for all Thai population at the age of 60 or above (except those who were on government pensions). The scheme provides allowance as follows: 600 baht per month for those aged 60–69 years, 700 baht for 70–79 years, 800 baht for 80–89 years and 1,000 baht for those 90 years of age or above.

92. To further provide a safety net and ensure that all Thai population have pensions to maintain their minimum standard of living after retirement, the Government established the "National Savings Fund" in August 2015. The Fund is open for all citizens aged between 15–59 years old and requires members' monthly contribution, after which they will receive matching contribution from the Government in their savings. The Fund targets citizens who are self-employed or working in informal sectors that are not covered by the Government's pension programmes or private provident funds. As of now, there are almost 400,000 members participating in this Fund.

93. The Government's Universal Health Coverage scheme ensures equitable entitlement to health care for all Thais including older persons. MOPH has put an emphasis on the following programmes for the elderly: home health care, clinics for the elderly, disease prevention, long-term care, health promotion, and social activities.

94. In 2013, the Government, in collaboration with local government administrations and older person network, established the Elderly Development Center in every district. The Government has also worked in partnership with the two bodies to repair homes and public environment to ensure safety for older persons through the promotion of the knowledge on the "Universal Design" to the public to encourage local implementation.

95. The 20 year National Plan for older persons' success lies in close monitoring and evaluation to be conducted every five years, next one scheduled in 2017, to follow up the implementation progress and identify challenges that need further actions.

96. As Thailand is entering the aging society, the Government would need to equip human resources who provide services to older persons, such as caregivers and medical staff, prepare budget to cover increasing expenditures in relevant programmes such as the old-age allowance and the Universal Health Coverage scheme, as well as prepare to cope with other related consequences such as the shortage of labour.

Persons with disabilities

97. The Persons with Disabilities Empowerment Act of 2007 continues to be the rights-based legal foundation for the protection of the rights of persons with disabilities for all agencies. Amendment to the Act was made in 2013 to include measures to further ensure accessibility and better provide welfare and other assistances. The Amendment also establishes the Disability Services Centers to provide community-based services to persons with disabilities, as well as promotes collaboration with organisations of persons with disabilities.

98. In terms of policy framework, the country has been implementing the 4th National Plan on Empowerment of Persons with Disabilities (2012–2016), aiming for persons with disabilities to live independently and happily in the society with full and equal rights. The Plan also places emphasis on empowering persons with disabilities, their families, and organisations, as well as promoting a barrier-free society.

99. In November 2012, the Cabinet approved measures to ensure accessibility of persons with disabilities to public buildings, and to provide at least 5 types of facilities, namely, ramps, restrooms, parking areas, signs and symbols, and information services within 2015. Other examples are the increase of the monthly disability allowance from 500 baht to 800 baht or an increase of 60 per cent (the Cabinet Resolution on 25 November 2014), and the increase of loans to support persons with disabilities and guardians in their self-employed occupation from 40,000 baht to 60,000 baht per person (or an increase of 50 per cent).

100. The Government also attaches importance to amending other legislations and practices that are not in compliance with the CRPD. To illustrate, the new Copyright Act of 2015, which was amended for the first time after 20 years of enactment, makes exceptions to the reproduction or adaptation of copyright works for the benefit of the persons with disabilities, provided that it is non-profit purposes.

101. Other cases in point are, among others, (1) the Constitutional Court's ruling in June 2012 whereby the disqualification for judicial service on the basis of a person's disabilities was deemed unconstitutional and not compliant with the CRPD, and (2) the Supreme Administrative Court's ruling in January 2015 which ordered Bangkok Metropolitan Administration and Bangkok Transport System to install elevators and other equipment to assist disabled passengers in every sky train station in order to ensure transportation accessibilities.

102. Measures to promote employment for persons with disabilities, such as the Regulation on the Employment of Persons with Disabilities of 2011, continue to be strictly enforced. The Fund for Empowerment of Persons with Disabilities, part of which was collected from employers or entrepreneurs who do not employ persons with disabilities by the set ratio (1 person with disabilities per 100 workers), has been utilised to empower persons with disabilities, such as loans for entrepreneurs with disabilities, and the support for organisations to carry out persons with disabilities empowerment projects.

103. Stigma and discrimination against people with disabilities still persist in the society. The Government addresses this by promoting positive attitudes among the public and the communities through organizing workshops and trainings on disabilities equality and awarding persons with disabilities with outstanding performance in various fields.

Ethnic groups

104. Ethnic groups are protected by the law without discrimination and are entitled to have access to public services including education, health care and employment opportunity.

105. MSDHS established the National Plan for Development of Ethnic Groups in Thailand (2015–2017) as mechanism to assist ethnic groups in various aspects, such as access to farm land, legal status including enhancing the balance and security while able to adjust to external changes.

106. The Ministry of Culture and MOE laid down measures to preserve ethnic groups' culture (such as the registration of intangible cultural heritage which includes ethnic languages and folk wisdom, and establishment of folklore/arts museums), and promote bilingual study, respectively.

107. The Government attaches great importance to solving problems relating to person's legal status through universal birth registration, population survey, and issuance of identity cards. The Government frequently considers granting legal status or nationality to ethnic group members according to relevant regulations to improve their access to basic rights and social welfare.

Displaced persons and asylum seekers

108. As a major country of transit and destination, Thailand has long been affected by mass influx of irregular migrants.

109. While Thailand is not party to the 1951 Refugee Convention, we have long been committed to our humanitarian tradition. We provided shelters for displaced persons and refugees from Indochina during 1970s and have provided similar assistance for displaced persons from Myanmar for the past 4 decades, with some 110,000 still remain under our care today. We have also shouldered a large group of maritime irregular migrants from Rakhine and Bangladesh as well as some 9,000 Persons of Concern to UNHCR in urban settings.

110. Latest development in Myanmar continues to bring hope to various groups of persons under our protection. We therefore have worked on the promotion of preparedness for voluntary return such as agricultural and farming trainings, and training of Myanmar personnel on landmine clearance. We also cooperated with UNHCR in developing a database of all displaced persons in temporary shelters. Providing a voluntary, safe, dignified, and sustainable return for Myanmar displaced persons is a top priority for the Government.

111. We also attach importance to providing development assistance to bring about sustainable development, particularly in Rakhine State. In the past years, Thailand has contributed some financial assistance for the construction of shelters for internally displaced persons and projects to provide agricultural trainings and equipment to local people.

112. Since early 2013, Thailand has provided assistance to a large number of irregular migrants from Rakhine State and Bangladesh, with the main policy to provide temporary protection while seeking long-term solutions. Moreover, Thailand has put in efforts to seriously tackle smuggling and trafficking criminal groups, including those that prey on irregular migrants.

113. As maritime irregular migration requires shared international responsibility, Thailand therefore hosted two Special Meetings on Irregular Migration in the Indian Ocean (in May and December 2015). The meetings aimed to exchange information and jointly identified measures to prevent and address the problem comprehensively at all stages with the involvement of countries of origin, transit, and destination, in order to achieve sustainable solution on the basis of international burden sharing.

114. Thailand still faces challenges with providing assistance to irregular migrants who remain in the country for a long period of time because UNHCR's refugee status determination and resettlement processes take long time. At present, Thailand, in cooperation with relevant international organisations and civil society, is planning to expand the detention centers and improve living condition and welfare for the detainees. We also grant bail until their resettlement or return solutions are met for certain urban cases.

115. We are in the process of studying existing screening systems of other countries to effectively screen migrants who genuinely require protection. We hope to find an effective and sustainable system that can be applied to our context.

C. Civil and political rights

Freedom of opinion and expression, and freedom of assembly

116. Thailand fully respects freedom of opinion and expression and freedom of assembly as they form basic foundation of a democratic society. However, freedom of expression shall be exercised in a constructive manner and does not insult any faith or belief system, be they religions or main institutions. In addition, freedom of expression should also be exercised in an appropriate context, which means time, place and manner, and shall not disrupt social order and security.

117. The Government encourages exchanging of views including through public hearings, about national reform and drafting of the new Constitution by all sectors of the society, both at national and international level.

118. The Thai monarchy is highly revered and has been a pillar of stability in the country. The Lèse-majesté law is part of the Criminal code and gives protection to the rights or reputations of the King, the Queen, the Heir-apparent, or the Regent. It is in a similar way libel law does for commoners. The law is to protect the rights or reputations of the institutions. It is not aimed at curbing people's rights to freedom of expression or academic freedom. As with other criminal offences, proceedings on lèse-majesté cases are conducted in accordance with due legal process and those convicted are entitled to receive royal pardon.

119. In July 2015, Thailand has enforced the Public Assembly Act of 2015 with a view to ensuring that public assembly be conducted in a peaceful manner and does not interrupt public order and well-being of the people, while respecting people's right to freedom of assembly.

Administration of justice

120. The Government attaches great importance to the administration of justice and has taken numerous measures to ensure people's access to justice which includes the promulgation of the Justice Fund Act of 2015, under the responsibility of MOJ. The Department of Civil Rights Protection and Legal Aid, under the Office of the Attorney-General, also renders legal assistance to the poor, such as the provision of free legal counselling and assistance in judicial proceedings. These measures aim to guarantee people's equal access to justice and help narrow the inequalities in the society.

121. The Government has also attempted to extend the provision of legal assistance to non-Thai citizens, for instance, the provision of interpreter services for everyone, be they the convict, defendants, or plaintiffs, in the investigation, a critical stage that shapes the case's direction. Such assistance is in addition to the assistance usually rendered by civil society.

122. In order to guarantee the right to compensation by the State, the Cabinet recently approved the MOJ's proposal to amend the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act of 2001. Such amendment aims to add trafficking in persons as an eligible criminal offence from which the injured person can seek compensation. The amendment is currently under the review by the Council of State.

123. In 2014, RLPD set up Centre for remedies for victims of criminal acts, which plays an active role in providing assistance in urgent and/or important cases. The Department also put in place awareness raising programmes for rights in criminal justice among the people. The Department has set up a help desk at 76 provincial police stations around the country, to provide legal advice and receive requests for compensation in criminal cases.

124. Despite the necessity to invoke special security laws in certain areas in Southern Border Provinces, the possibility to reduce the use of these laws has been under constant review. Additionally, the enforcement of such laws has been undertaken with extreme caution to ensure that it does not lead to human rights violations. The Government also encourages those who have been involved in criminal acts to surrender and cooperate with the authority. In return, they will be exempted from being incriminated and supported to reintegrate into the community.

125. The Government has adopted His Majesty the King's approach of "Understand, Reach Out and Develop" to the improvement of the lives of people in the southern border provinces, giving importance to people's participation in protecting their own community. The Government has indicated administration of justice one of priorities in the strategy to address the problem and instructed relevant agencies to expedite the enhancement of justice system to be just and transparent, the rapid investigation including cases that are of public interest, and the provision of remedies or compensations for those who are affected. The strategy is expected to help regain confidence from the locals and other sectors.

126. Southern Border Provinces Administrative Centre (SBPAC) has established the Centre for Justice at the District level (or Keadilan Center) to receive complaints, settle dispute, provide legal advice on judicial proceedings, and coordinate with relevant authority in providing remedies and compensation. The Centre has also set up a hotline service to serve as another channel of complaint.

127. Combating corruption remains one of the Government's priorities and legislative branch's reform areas. Since becoming party to the UNCAC in 2011, Thailand has been reviewing legislations to further promote effective implementation of the Convention.

Justice system

128. The Department of Corrections has recently proposed to amend the Penitentiary Act of 1936. It has the objective to reform the national corrections system to be more consistent with international standards such as the Standard Minimum Rules for the Treatment of Prisoners (SMR) and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). The draft Amendment is currently under the review of the Council of State.

129. On 6 November 2015, NLA approved the draft Amendment to the Criminal Procedure Code relating to the use of electronic monitoring device for those who are temporary released, criteria for enforcement against bail bond agent, and appeal in the case of refused request to temporary release. The draft Amendment would help address the issue of overcrowded prisons and bring about equality in justice as it gives the convict and defendants better opportunity to request for temporary release including those who are poor and without property/asset used as bail security. The Office of the Court of Justice is also establishing a Centre for Electronic Monitoring and will soon issue an internal regulation for the guideline for its use.

130. With regard to prisoner's health, MOPH has launched pilot projects to improve prisoners' access to health services in five provinces.[14] The National Health Security Office is in the process of conducting a study and providing recommendations to ensure that the health insurance system covers inmates.

131. MOJ has drafted the Act on Community Dispute Resolution which sets out measures and conditions to allow representative of the community to mediate and resolve civil and criminal disputes in compoundable or petty offences. It is hoped to help reduce pending cases in the Court as well as solve overcrowded prisons. The Cabinet has approved the principles of the draft Act and instructed relevant agencies to further study the law's jurisdiction, *ex ante* evaluation, and how to reduce inequality in the justice system.

Prohibition of torture and enforced disappearance

132. RLPD has proposed the draft Prevention and Suppression of Torture and Enforced Disappearance for the Cabinet's consideration. This draft law, if enforced, will serve as the implementing legislation of CAT, to which Thailand is a party, and enables the ratification of ICPPED, which Thailand signed in 2012.

133. RLPD attaches great importance to training law enforcement officers with a view to raise awareness and educate officers about CAT and ICPPED in order to prevent them from violating obligations set out in the said Conventions.

134. The Department of Corrections has been studying the possibility to use alternative to incarceration. In 23 January 2013, the Department launched pilot projects at Bangkwang Central Prison by removing shackles from all inmates regardless of their offence or length of imprisonment term, except for those who are not allowed by Section 14 of the Penitentiary Act of 1936 (i.e. inmates who are likely to cause bodily harm to themselves or others, or inmates who are likely to escape). The Department aims to expand such practice to other prisons and all correctional facilities.

D. Promotion of human rights education and training

First Phase

135. The National Education Act of 1999 has helped to mainstream human rights education into the school system by inculcating a sound awareness of politics, democracy, government, and constitution that promotes and protects the rights, liberties, responsibilities, the respect for the rule of law, and human dignity in the learning process. Besides, the National Education Scheme also reflects human rights principles in teaching and learning methodology through content and activities that take into consideration individual and cultural differences, and encourages cooperation with parents, community, civil society, and international organisations.

Second Phase

136. Human rights education has been promoted in higher education. There is an increasing number of courses on human rights, be they compulsory or elective, in university departments such as law, political science, education, pharmaceutical science, and in Rajabhat University. The content covers a range of topics including international law, principles, philosophy and evolution of human rights, and relevant mechanisms. At present, there are universities that offer undergraduate and postgraduate (Master's and Doctoral) degrees in human rights. In addition, many government agencies, such as MFA, MOJ, MSDHS, and Office of the Judiciary, in collaboration with relevant civil society and international organisations, provide human rights training programmes to concerned officials, with the focus on police officers, military personnel, corrections officers, and judicial personnel.

Third Phase

137. Media professionals and journalists enjoy the liberties to present news, information, or opinions in the country, provided that it is not in contrary to professional ethics that have been developed to be a guideline by independent bodies and press and journalist associations. In addition, government agencies, including the Public Relations Department, the Office of the National Broadcasting and Telecommunications Commission, and the National Press Council and Thai Journalists Association have developed regulations and codes of conducts for communication and information dissemination with the emphasis on

the respect on human rights, particularly the principles of non-discrimination and social responsibility.

138. The Government recognises that some challenges remain and strives to make human rights education in school more interesting and accessible, expand the provision of human rights courses in universities, and intensify the curriculum to enhance students' knowledge and awareness. To succeed, the Government, in cooperation with interested partners, must provide trainings for teachers and teaching staff. The self-regulation mechanism should be further strengthened to enable the media to strike a right balance between rating and the respect for professional ethics and thereby refraining from presenting contents which contain discrimination, violence, or hatred.

E. Cooperation with special procedures mandate holders of the HRC

139. Thailand issued a standing invitation to all special procedures mandate holders of the HRC during our first cycle UPR review in 2011.

140. Thailand welcomed the visit of the Special Rapporteur on the human rights to safe drinking water and sanitation on 1–8 February 2013. The Special Rapporteur had an opportunity to meet with relevant government agencies, private sector, and civil society. These agencies have taken into account the Special Rapporteur's recommendations in their implementation to improve the right to safe drinking water and sanitation in the country.

IV. National reform

141. National reform is one of the Government's main priorities. It is hoped that the reform will help improve infrastructure, enhance the efficiency of public administration, and solve pending problems that are obstacles to the country's development. The Government has identified 11 reform areas that it wishes to push forward.[15]

142. To successfully push forward the reform agenda, the National Reform Steering Assembly (NRSA)[16] is in the process of drafting the Action Plan and identifying targets of each reform area. This is: for example, political reform aims to resolve conflicts, promote reconciliation through dialogue with all groups, establish the mechanism of coming to political power in a transparent manner, checks and balances through the strengthening of the parliament and independent institutions, and create a political culture free from nepotism; public administration reform aims to improve mechanism that better integrate the works among government agencies at central, provincial, and local levels, build capacity for Damrongdhama Center[17], and promote good governance among public officials; law and justice reform focuses on addressing the issue of law enforcement and administration of justice to reduce inequality and increase efficiency of the justice system; and local administration reform focuses on decentralisation and public participation.

143. Once the Cabinet and NLA approve the said Action Plan, NRSA can push forward the reform to bring about concrete outcomes and will continue the agenda through the 20 Year Country Strategy and Organic Law on National Reform which will be drafted after the Constitution is approved. The reform agenda also requires participation from all sectors.

V. Overall challenges

144. Understanding of general human rights issues and the UPR process among government officials and the public remains limited. The Government needs to put greater

efforts in raising awareness on those issues to bring about enthusiasm among the public to make them interested in participating in the UPR process and human rights works.

145. Human rights infrastructures in the country need to be further strengthened. At present, some challenges remain in the full realization of human rights values, updating domestic laws, and efficiency of human rights institutions. The Government needs to reform and strengthen related mechanism consistent with international obligations, promote human rights education to embed human rights value, and encourage other sectors, such as business sector, to embrace social responsibility more seriously through cooperation, legal framework or incentive schemes, so that the protection of human rights can be effective, inclusive and sustainable.

146. Several human rights issues today are not constrained within one country, but causing trans-boundary impacts, such as migration and environment (such as transboundary haze). Such phenomenon requires the Government to seek cooperation and exchange experiences with other countries, especially those in the region (for example, ASEAN) and other partners, such as relevant regional mechanisms and international organisations, to handle those common challenges in a more systematic and efficient manner.

147. The current political context in the country has brought about challenges in striking a right balance between the attempt in pushing forward reconciliation, security, national reform and full protection of human rights, and the need to restrict certain rights and liberties of the people (such as freedom of expression and of assembly). This balance is necessary so as to prevent actions that will bring about hatred and more social divisiveness, while encouraging constructive dialogue – all of which would pave the way to reconciliation, push forward the reform agenda, and lay a strong foundation toward a successful and sustainable democracy.

148. There remains an issue of trust deficit between government agencies and civil society. The Government needs to encourage more cooperation, such as providing space for genuine, constructive and truthful dialogues to bridge the gap and bring about partnership in protecting human rights for the people.

VI. Future direction

149. To effectively promote and protect human rights as well as to successfully and concretely address long-term challenges, continuity of the Government's commitments and policies and cooperation from all sectors are required.

150. The Government is drafting the 12th National Economic and Social Development Plan (2017–2021) and the 20 Year Country Strategy which would focus on human-centered development for security, prosperity and sustainability, as well as inequality reduction, as inspired by His Majesty the King's Sufficiency Economy Philosophy. The Government needs to develop human rights based indicators and systematic disaggregated data collection in order to monitor the progress and shape policies to achieve development and human right targets in a more efficient, concrete and sustainable manner.

151. National reform in different areas will help lay a strong foundation for an effective and long-term development in the country. It is hoped to bring about sustainable development as well as sustainable democracy based on rule of law, good governance and human rights. It is important that promotion and protection of human rights must begin at the individual level. Human rights can only best flourish and grow when community and society are embedded with human rights value and culture.

152. The Government will continue to strengthen and enhance cooperation through relevant regional mechanisms such as AICHR, other cooperation frameworks in the

ASEAN, the Bali Process. These mechanisms will play more important role in addressing several human rights problems. Cooperation and capacity building through these mechanisms as well as support from the UN and relevant international organisations are keys to the success of the promotion and protection of human rights in the country and in the region.

Notes

[1] Chaired by Permanent Secretary of the Ministry of Foreign Affairs and comprising all relevant agencies as well as the National Human Rights Commission, academics and civil society.
[2] Approved by the Cabinet in November 2014.
[3] The report can be found at http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx
[4] For example, in September 2014, the Government partnered with AICHR to organise the Workshop on Sharing of Experiences on UPR among ASEAN Member States in Bangkok, in order to exchange experience and share best practices on UPR process with countries in the region and interested partners (such as Switzerland and OHCHR).
[5] Thailand requested for technical assistance from OHCHR, with the support of the UPR Trust Fund, in implementing recommendations related to the CAT which require technical expertise.
[6] These are, such as, the Administrative Courts, the Attorney-General, the Election Commission, the Ombudsman, the National Anti-Corruption Commission, the Auditor-General, and the National Human Rights Commission.
[7] 11 issues are public health; education; economic rights; natural resources and the environment; housing; cultural rights and rights concerning religion; data, information, information technology, and communication; transportation; civil and political rights; judicial process; and social security.
[8] 15 target groups are the accused persons/ persons deprived of liberty; former inmates/ persons released from detention; accused persons charged with drug-related offences/ drug addicts and individuals who have undergone rehabilitation treatments for drug addiction; victims and injured persons; persons living with HIV/AIDS; workers; people living in poverty/ individuals affected by the development process; farmers; older persons; children and youth; women; persons with disabilities; stateless persons, ethnic groups, and asylum seekers or displaced persons; individuals affected by violent situations; and persons with different sexual orientation/ gender identities.
[9] Under the Ministry of Justice.
[10] By the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).
[11] Adopted at the 27th ASEAN Summit in November 2015.
[12] For example, in November 2015, the Cabinet approved the country's endorsement of the New York Declaration on Forests which strives to end natural forest loss by 2030.
[13] Chaired by the Minister of Labour.
[14] The five provinces are namely Nongkhai, Ratchaburi, Nakhon Pathom, Phra Nakhon Si Ayutthaya, and Nakhon Si Thammarat.
[15] These are politics, public administration, law and justice, local administration, education, economy, energy, public health and environment, mass media, society, and sports, arts, culture, religion, morality and ethics.
[16] The NRSA comprises experts and representatives from both government agencies and civil society.
[17] Damrongdhama Center is resolution and information center for general complaints across the country.